IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.51 OF 2007
IN
FAMILY COURT APPEAL NO.71 OF 2005

Shri Upendranath C. Chaube .. Applicant

Vs.

Smt.Neeta Upendranath Chaube .. Respondent

Mr.S.V.Dhakepalkar for the applicant

Ms.P.P.Chawan for the respondent

CORAM : J.N.PATEL &
A.A.SAYED, JJ.

DATED : 11TH JULY, 2007

P.C.:

. We find that the application for condonation of delay in filing the application for restoration has no merits as it does not spell out any good and sufficient reason for the delay of one year and 174 days. However, in order to give a fair opportunity to the appellant, we are inclined to condone the delay by compensating the respondent. Application is allowed on the

applicant paying to the respondent or depositing in this court a sum of Rs.10000/- within a weeks time. On payment of cost, the delay would stand condoned and the appeal would stand restored to file. Application stands disposed of accordingly.

(SHRI J.N. PATEL, J)

(SHRI A.A. SAYED, J)